

THE DISTRICT COURT OF GUAM

CIVIL CASE NO. 90-00013

GUAM SOCIETY OF OBSTETRICIANS
AND GYNECOLOGISTS; GUAM NURSES
ASSOCIATION; THE REVEREND MILTON
H. COLE, JR.; LAURIE KONWITH;
EDMUND A. GRILEY, M.D.; WILLIAM S.
FREEMAN, M.D.; JOHN DUNLOP, M.D.; on
behalf of themselves and all others similarly
situated, and all their women patients,

Plaintiffs,

vs.

ORDER

LOURDES A. LEON GUERRERO, in her
official capacity as the Governor of Guam;
ARTHUR U. SAN AGUSTIN, in his official
capacity as the Director of the Department of
Public Health and Social Services; LILLIAN
PEREZ-POSADAS, M.N., R.N., in her official
capacity as the Administrator of the Guam
Memorial Hospital Authority; DOUGLAS B.
MOYLAN, in his official capacity as the
Attorney General of Guam; ALICE M.
TAIJERON, GERARD "JERRY" C.
CRISOSTOMO, JOSEPH P. MAFNAS,
ANTONIA "TONI" R. GUMATAOTAO,
BENNY A. PINAULA, G. PATRICK
CIVILLE, and CARISSA E. PANGELINAN,

1 in their official capacities as the Board of
2 Directors of the Guam Election Commission,
3 together with all others similarly situated,

4
5 Defendants.

6 On February 13, 2023, the parties stipulated to an extension of time as to Plaintiffs'
7 deadline to file an Opposition or Response to Defendant Attorney General of Guam's Motion to
8 Vacate Permanent Injunction Pursuant to Fed. R. Civ. P. 60(b)(5) and to Dismiss this Case with
9 Prejudice ("Motion to Vacate"). That deadline was on March 8, 2023. *See* Stipulation at 2, ECF
10 No. 365. The deadline for other parties to file an Opposition to the Motion to Vacate was on
11 February 22, 2023. *See* CVLR 7(f).¹ Based on the stipulation extending the deadline for
12 Plaintiffs to file an Opposition, Defendant Attorney General's deadline to file a Reply to all
13 Oppositions is on March 22, 2023. *See id.*²

14 There are two issues with the parties' briefings on the Motion to Vacate.

15 First, Defendant Attorney General filed a Reply on March 7, 2023, in response to
16 Defendant Governor of Guam's Opposition to the Motion to Vacate. *See* ECF No. 386. The court
17 will not consider this Reply and expects Defendant Attorney General to file one Reply to all
18 Oppositions pursuant to CVLR 7(f).

19 Second, Defendant Guam Memorial Hospital Administrator's Opposition to the Motion
20 to Vacate was filed on March 8, 2023. *See* ECF No. 392. The Opposition was due on February
21 22, 2023, and no motion for extension of time or stipulation pursuant to CVLR 7(g) was filed.³

22 ¹ The motion was filed on February 1, 2023. *See* ECF No. 357. Pursuant to CVLR 7(f), an opposition must be served
and filed within 21 days of the filing of the motion.

23 ² "In the event multiple oppositions are filed to a single motion, any reply shall be filed no later than fourteen (14)
24 days after the last opposition is filed." CVLR 7(f).

³ The stipulation extending the filing deadline to March 8, 2023 was for Plaintiffs, not Defendants.

1 Nonetheless, the court will accept the late filing. However, all parties shall be on notice that,
2 moving forward, the court will not accept any late filings.

3 **SO ORDERED.**



4 /s/ Frances M. Tydingco-Gatewood
5 Chief Judge
6 Dated: Mar 09, 2023
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24